

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LARRY A. VERA,

Plaintiff

v.

JOANNE B. BARNHART,
Commissioner of Social Security,

Defendants.

NO. 3:04-CV-1879

(JUDGE CAPUTO)

ORDER

NOW, this 27th day of September, 2005, upon review of Magistrate Judge Thomas M. Blewitt's Report and Recommendation (Doc. 13) for clear error or manifest injustice,

IT IS HEREBY ORDERED that:

- (1) The Report and Recommendation is hereby **ADOPTED**.
- (2) Plaintiff's appeal is **GRANTED** insofar as it seeks reversal and remand of the ALJ's decision.
- (3) The ALJ's decision is **REVERSED** and this action is **REMANDED** in accordance with sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with this ruling.
- (4) The Clerk of the Court shall mark this case **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge